

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

|                                      |          |                     |
|--------------------------------------|----------|---------------------|
| <b>SUSAN SCANLON</b>                 | <b>:</b> | <b>CIVIL ACTION</b> |
|                                      | <b>:</b> |                     |
| <b>v.</b>                            | <b>:</b> |                     |
|                                      | <b>:</b> |                     |
| <b>JEANES HOSPITAL, a/k/a TEMPLE</b> | <b>:</b> |                     |
| <b>UNIVERSITY HEALTH SYSTEM</b>      | <b>:</b> | <b>NO. 06-2424</b>  |

**ORDER**

AND NOW, this 1st day of July, 2009, upon consideration of plaintiff's Petition for Attorney's Fees (paper no. 70) and Motion for Attorney's Fees (paper no. 81), it appearing that:

1. By Order of April 23, 2009, the Court of Appeals affirmed this court's judgment of January 23, 2008. (Paper no. 90.)
2. In response to the instant motions, counsel for defendant filed a document titled, "Objections to Plaintiff's Petition for Attorney's Fees and Costs." The document actually filed by defendant was an "Opposition to Plaintiff's Motion to Mold the Verdict." (Paper no. 74.)
3. On July 1, 2009, the court contacted Larry Rappoport, counsel for defendant, to request a true and correct copy of its Objections to Plaintiff's Petition for Attorney's Fees and Costs.
4. Mr. Rappoport advised the court that the matter settled shortly after issuance of the Court of Appeals' decision.
5. Upon settlement of the matter, plaintiff did not withdraw her motions for attorney's fees; counsel for neither party advised this court of the settlement. The docket of the Court of Appeals contains no record of settlement.
6. On July 1, 2009, counsel for defendant provided the court with a copy of the settlement agreement executed on April 27, 2009.
7. Counsel are hereby reminded of their continuing duty to inform the court of any development conceivably affecting an outcome, as the court was in the process of preparing an opinion deciding the motions. See Fusari v. Steinberg, 419 U.S. 379, 391 (1975) (C.J. Burger, concurring) ("It is disconcerting to this Court to learn of relevant and important developments in a case after the entire Court has come to the Bench to hear arguments.").

IT IS ORDERED that plaintiff's motions (paper nos. 70 and 81) are **DENIED** as moot.

/s/ Norma L. Shapiro

J.